

the weapons formed against us have not prospered.

Thank You for Your favor that rests upon our land, for freedoms that cause our hearts to soar. Thank You for guiding our Senators in their efforts to do Your will. In the days to come, we commit ourselves anew to seek Your guidance and follow Your plan.

We pray in Your all-powerful Name. Amen.

PLEDGE OF ALLEGIANCE

The PRESIDENT pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RESERVATION OF LEADER TIME

The PRESIDENT pro tempore. Under the previous order the leadership time is reserved.

MORNING BUSINESS

The PRESIDENT pro tempore. Under the previous order, there will be a period for the transaction of morning business until 10:30 a.m., with the time equally divided between the two leaders or their designees.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The acting majority leader is recognized.

SCHEDULE

Mr. BUNNING. Mr. President, this morning the Senate will debate the motion to invoke cloture on the nomination of Kent Jordan to be a U.S. circuit judge. Under the regular order, that cloture vote will occur at 10:30 a.m. this morning. Once cloture has been invoked, we would hope to have a vote on confirmation shortly.

There are many critical legislative and executive items that must be completed before the Senate adjourns sine die, including a continuing resolution, the tax extender package, the U.S.-Indian nuclear agreement, and a number of other items that both sides are attempting to clear for action.

The Senate will remain in session into the weekend, if necessary, in order to finish our work.

I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. FRIST. Mr. President, I ask unanimous consent that the order for the quorum call be dispensed with.

The PRESIDING OFFICER (Mr. ISAKSON). Without objection, it is so ordered.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CLERK

Mr. FRIST. Mr. President, as in executive session, I ask unanimous consent

that if cloture is invoked this morning on the Jordan nomination, there be 2 hours of debate equally divided between the chairman and ranking member and that following that time, the Senate proceed immediately to vote on the confirmation of the nomination with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

MEASURE PLACED ON THE CALENDAR—S. 4110

Mr. FRIST. Mr. President, I understand there is a bill at the desk that is due for a second reading.

The PRESIDING OFFICER. The clerk will read the bill for a second time by title.

The legislative clerk read as follows:

A bill (S. 4110) to enhance Federal Trade Commission enforcement against illegal spam, spyware and cross-border fraud and deception, and for other purposes.

Mr. FRIST. Mr. President, in order to place the bill on the calendar under the provisions of rule XIV, I object to further proceedings.

The PRESIDING OFFICER. Objection is heard. The bill will be placed on the calendar.

PERMITTING EXPENDITURES FROM THE LEAKING UNDERGROUND STORAGE TANK TRUST FUND

Mr. FRIST. Mr. President, I ask unanimous consent that the Committee on Finance be discharged from further consideration of H.R. 6131 and that the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 6131) to permit certain expenditures from the Leaking Underground Storage Tank Trust Fund.

There being no objection, the Senate proceeded to consider the bill.

Mr. FRIST. Mr. President, I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the measure be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 6131) was ordered to a third reading, was read the third time, and passed.

UNITED STATES TSUNAMI WARNING AND PROTECTION ACT

Mr. FRIST. Mr. President, I ask unanimous consent the Senate proceed to the immediate consideration of H.R. 1674 received from the House.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 1674) to strengthen and authorize the Tsunami Protection, Warning and Mitigation Program, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. FRIST. Mr. President, I ask unanimous consent that the bill be read a third time, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 1674) was ordered to a third reading, was read the third time, and passed.

Mr. FRIST. Mr. President, that completes one round of business we will be doing over the course of the day. We will be coming to the floor to take care of business as it is completed. There is a lot of activity between the House and the Senate, and as we continue to move on these unanimous consent requests we will bring them to the floor over the course of the day.

HEALTH CARE POLICY

Mr. FRIST. Mr. President, I wish to briefly comment on health care policy which we have been able to accomplish over the last several years.

As most people know, for 20 years before I entered politics, I devoted my life to healing and to helping people one-on-one through medicine, and now for 12 years in the Senate I have tried to focus on healing and helping people using public policy.

From the outset, I have worked hard to place medicine and health care at the center of our national agenda.

I had a meeting at the White House earlier this morning. I restated how important it is that we address what is a coming tsunami as our aging population incessantly is coming toward us similar to a big tidal wave. It will be here in a few years.

Health care affects our global competitiveness. It affects our \$8.5 trillion debt, our deficit, and our State budgets. It is intensely personal. It affects all of us in a very direct way because we are all sick at one time or another.

I am very proud of the work we have been able to accomplish on the floor in this body on health care policy. Thanks to a new Medicare Part D drug benefit, millions of seniors today are receiving access to drugs they didn't have before—drugs that can prevent heart attack or can prevent a stroke or can prevent various kinds of maladies from which people suffer. People today who have this affordable access to drugs no longer have to worry about having an illness or serious illness hit them and being able to buy those drugs which they need to treat that illness.

In that prescription drug coverage legislation which we passed, all Americans gained better access to health care through what we put in as Health Savings Accounts, accounts that you own, that you can control, that you can take with you.

Over a 5-year period in this body, we had an initiative which was completed to double the NIH budget. That leads

to new cures today and new therapies tomorrow.

I am also particularly proud of this body passing the United States Leadership Against Global HIV/AIDS, Tuberculosis, and Malaria Act. As my colleagues know, respectively, 3 million people die of the first, 2 million of the second, and 1 million of the third of the disease I mentioned. More than 5 million people die a year. These are three deadly infectious diseases that can be controlled.

We took a major step forward with that \$15 billion commitment. There is a lot more to do to address our health care system today. I am a great advocate of aligning our values and our incentives on results and outcomes. I believe in that vision of a health care system that is centered around a patient, or "the patient," that is provider friendly, that is driven by three things: 21st century information; second, by choice; and third, driven by some element of control. A consumer-driven system is that vision, that model, to which we should all strive.

We need to change the way we think about health care, we need to reign in those frivolous lawsuits. We tried again and again to do so in the Senate the last 4 years and have been unsuccessful. The frivolous lawsuits drive up the cost of your health care, my colleagues' health care, and the cost of health care of everyone in this country.

We also need to address quality of health care to make sure those medical errors are eliminated, those needless medical errors that are made in our health care system today.

I am proud of the contributions Congress has made. We have much more to do.

Mr. President, when I placed my hand on the Bible and took my oath of office on a cold morning in 1995, I did not know many things I know today. But I knew with certainty that medicine would play a major role in my career in the Senate.

I kept the letters M.D. beside my name in my Senate office. I kept a stethoscope on my desk. And I kept my mind on the work of healing—of helping.

For 20 years before I entered politics, I devoted my life to helping people one-on-one. I performed 150 major transplants and, I hope, did a little to advance the science of transplantation. For 12 years in the Senate, I focused on the needs and interests of the people of Tennessee, the nation and, and around the world.

And, throughout it, I have done my best to remember where I came from: medicine. At the onset of my Senate career, I began working to place medicine at the center of our national agenda and promote its role around the world. Health care, after all, affects all of us, at every stage of our lives. I've spent enormous time on health and I hope it has made a difference.

I am proud of the work I have done to improve Medicare and preserve its

promise to America's seniors. Thanks to the new Medicare Part D drug benefit, millions of American seniors will no longer have to worry about how they will pay for their prescriptions. Just as importantly, the new Part D benefit serves as a template for the future of Medicare: it empowers consumers and lets them choose the plan that fits their needs best. Most seniors have more than 20 choices, satisfaction is high, and costs to consumers have been less than we projected. The plan is a success. And we did it without having to impose price controls or caps that would stifle innovation and dry up the supply of new medicines.

The changes we created with the historic Medicare Modernization Act of 2003 do not end with the drug benefit. Medicare has begun to change its focus as well: it includes a first-ever "welcome to Medicare" exam and new coverage for tests that will help us prevent and treat diseases before they become major problems. Under the same legislation, nearly all Americans also gained much broader access to a new type of health coverage—Health Savings Accounts that they own, control, and carry with them from job to job.

I believe my efforts with regard to the National Institutes of Health embody the same forward-looking spirit that led to improvements in Medicare. For years, NIH's budget grew only about as fast as our overall economy even though medicine became an increasingly important economic activity. My medical colleagues told me that necessary research could not always find funding—and the American people made it clear they wanted a stronger federal commitment to medical research.

Over a 5-year period, I helped lead a bipartisan effort to double NIH's budget. And it's paying off. Among other things, NIH research has discovered new triggers for childhood asthma, innovative new ways to prevent diabetes, treatments to reduce mother-to-child HIV/AIDS transmission, new treatments for stroke, and dozens of other innovative medical techniques. Thanks to NIH research, the miracle medicines of tomorrow have begun to arrive more quickly. NIH research has saved thousands of lives.

Our efforts to improve medicine have not stopped at America's shores. Health care can be a currency of peace. It can provide hope. It can give relief. And I'm proud of the way I have worked to improve it around the world.

I am particularly proud of the leadership role I played in the United States Leadership Against Global HIV/AIDS, Tuberculosis, and Malaria Act of 2003. These three deadly infectious diseases kill over a million people each year in the underdeveloped world. These infectious diseases do the most damage to the world's health. AIDS, the World Health Organization reports, steals more years of healthy life than any other disease. TB and Malaria—although usually not fatal—do enormous

damage to health throughout the underdeveloped world and cost some of the poorest countries billions of dollars. It's vital that we attack them, fight them, and win. And we're making progress. Water has improved, reducing malaria. More and more people in the underdeveloped world are getting antiretrovirals to fight HIV/AIDS. Widespread education on the Abstain/Be Faithful/Use Condom ABC model has proven effective in limiting the spread of AIDS. In my own missionary work in Africa—trips—I've taken every couple years—I have seen what these diseases can do—and the devastation that they can cause. The result: we've slowed the progress of these diseases, and we've saved millions of lives.

We still have much work ahead of us. Enormous numbers of Americans still lack insurance. Through the State Children's Health Insurance Program SCHIP and HSAs we have made it easier for some Americans to get health insurance. But we haven't done enough. Over the next several years, I hope Congress will work to change our health care system so all Americans have affordable, reliable health coverage.

But simply expanding insurance coverage isn't enough. We need to change the way we think about health care so we focus on results and value for patients. Getting there isn't going to be easy. To do it, we need national, interoperable, privacy protected electronic medical records for all Americans who want them. We need to rethink the way we structure medical practices, and we need to do a better job monitoring quality.

We also need to reign in predatory trial lawyers who stand in the way of the doctor-patient relationship by encouraging doctors to care more about avoiding liability and less about providing high quality medical care. Medicare and Medicaid, too, need additional and sustained reforms to ensure our federal programs are in line with ever-changing realities.

American health care still faces enormous problems. We have tremendous work ahead of us. I am proud to have played a role in the health care reforms of the past 12 years, and I will continue to speak, think, and write about the vital importance of health care to our future as a nation. I entered this body as a physician and I will leave as one.

REASSIGNING THE HENRY CLAY DESK

Mr. McCONNELL. Mr. President, 6½ years ago the Senate acted to ensure that the desk of Henry Clay would forever stay in the family of Kentucky Senators.

Henry Clay, the greatest statesman that my home State ever produced, served the people as speaker of the Kentucky House of Representatives, Speaker of the U.S. House of Representatives, Secretary of State under